GOVERNMENT OF MADRAS.

Old Secti. II 28, New Secti. II-16-71,006—28-1-55

ERA (1955) **Department.**

~~Endorsement~~
~~D.O.~~
~~Memorandum~~
~~Lodged~~

Closed & Reply

No. 101431 E1 1955 15

Dated 31—10 1955.

FURTHER PAPERS.

Department.	Number.	Series.	Date.

The Secretary to the Government,
Education, Public Health and Local
Administration Department,
Fort St. George, MADRAS.

Through The Director of Public Instruction, Madras.
The Divisional Inspector of Schools, Coimbatore.
The District Educational Officer, South Kanara.
The Headmaster.

From C. Sushilendra Acharya,
Secondary Grade Teacher,
Govt. Training School for Masters,
U D I P I

Sir,

Sub:- C. Sushilendra Acharya - Secondary Grade Teacher
Condonation of break in service - Orders solicite

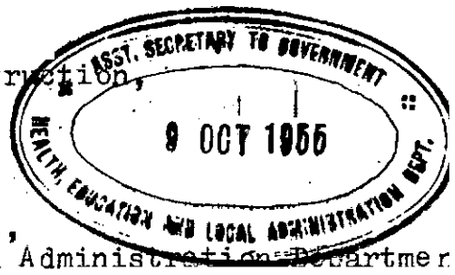
The petitioner humbly submits this appeal against the orders of the Director of Public Instruction, Madras, Pros. R.C.No.762C9/53 dated 3-6-53 communicated with the Divisional Inspectors' R.C.No.873A2/52 dated 13-6-53 (copy enclosed). The facts of the case are as follows:-

2. The appellant was first appointed in this department as Secondary Grade Teacher on 16-7-1948 under the emergency provisions. He started his probation as secondary grade teacher from 9-7-49 and completed his probation satisfactorily on 9-7-51. On 11-3-52 he applied for permission with a view to take up appointment in the Revenue Department. In his proceedings R.C.No.2912A/52, dated 24-3-52 the District Educational Officer was pleased to order his relief treating the appellant's representation as resignation. The appellant was accordingly relieved of his appointment as Secondary Grade Teacher on the afternoon of 18-4-52 and the same evening he joined duty as officiating clerk in the Taluk Office, Udipi. There is no break of service. Owing to decontrol and de-rationing, the personnel of the Procurement and Rationing department had to be retrenched, and as a result of this retrenchment, the appellant's appointment came to be terminated for want of a vacancy on the afternoon of 18-6-52. The appellant was again appointed under the emergency provision as a Secondary Grade Teacher in the Govt. Training School for masters, Udipi on 21-7-52. The appointment was however later regularised with retrospective effect from 21-7-52. Thus, there was a break of service in the Education Department from 19-4-52 to 20-7-52 a period of 3 months and 2 days.

3. The appellant is now an approved probationer in the category of Secondary Grade Teachers in the Madras Educational Subordinate service awaiting confirmation. Though he has put in a total service of 6 years in the Education Department he has been treated as one who has joined the department only with effect from 21-7-52, i.e. he can count service for increment, promotion etc. only from this date. As a matter of fact he started his probation on 9-7-49 and completed his probation on 9-7-51. Owing to a short break of one month and 2 days from 18-6-52 to 20-7-52 when he held no appointment he is likely to lose a service of 3 years and

Roc.No.455.C9/55

Office of the
DIRECTOR OF PUBLIC INSTRUCTION,
Madras Dated 6.19.1955.



The Director of Public Instruction,
M A D R A S.

To

19431 The Secretary to Government,
Health, EDUCATION and Local Administration Department
Fort St.George, M a d r a s -9

Sir,

APPOINTMENT - Madras Educational Subordinate Service - Secondary Grade Teacher - Sri C. Sushilendracharya, Secondary Grade Teacher, Government Training School, Udipi - Request for counting his past services as Secondary Grade Teacher.

REFERENCE:

Petition dated 3.6.1955 from Sri C.Sushilendra-Acharya, Secondary Grade Teacher, Government Training School for men, Udipi.

-.-.-

I submit the petition dated 3.6.1955 from Sri C. Sushilendra Acharya, Secondary Grade Teacher, Government Training School for men, for counting his service prior to his resignation and for condoning the break in his service and to submit as follows:

2. The petitioner was first appointed regularly as Secondary Grade Teacher in the Madras Educational Subordinate Service with effect from 9.7.1949 and he completed his probation on 9.7.1951. In 1950, he applied to the Divisional Inspector of schools, Coimbatore to grant him permission to appear for the competitive examination for recruitment to Ministerial Service. The permission applied for was accordingly granted by the Divisional Inspector of schools, on condition that he should resign his appointment as Secondary Grade Teacher before he took up the appointment as Clerk. The petitioner appeared for the Examination and he was also duly selected for appointment as Lower Division Clerk in the Revenue Department in South Kanara District. In his letter dated 11.3.1952, the petitioner requested for relief with a view to his taking up his appointment as Lower Division Clerk in the Revenue Department. The petitioner had stated in his letter dated 11.3.1952 that he might be given a lien in the category of Secondary grade Teacher and that in case this is not conceded, his letter dated 11.3.1952 might be treated as a letter of resignation. The Divisional Inspector of schools, Coimbatore, however, passed orders treating the letter dated 11.3.1952 of Sri Sushilendra Acharya, as resignation and issued orders accepting the resignation. He was accordingly relieved from the post of Secondary Grade Teacher on 18.4.1952 A.N. He was serving as Lower Division Clerk in the Revenue Department during the period from 18.4.1952 A.N. to 18.6.1952 A.N. Owing to decontrol and de-rationing, the personnel of the Procurement and Rationing Department had to be retrenched and as a result of this, the appointment of the petitioner in the Revenue Department was terminated with effect from 18.6.1952 A.N. for want of vacancy. The petitioner is stated to have again applied to the Divisional Inspector of schools for appointment as Secondary Grade Teacher and consequently he was appointed as Secondary Grade Teacher afresh with effect from 21.7.1952. The petitioner requested that the period of break in his officiating appointment as Secondary Grade Teacher from 19.4

to 20.7.1952 may be condoned with a view to enable him to count his services as Secondary Grade Teacher from 9.7.1949 as continuous. His request was not entertained by me, especially in view of the fact his relief from the Department with effect from 18.4.1952 A.N. was treated AS RESIGNATION and he was appointed as Secondary Grade Teacher afresh just as any other outsider with effe from 21.7.1952. The present representation to Government is against the above orders. I consider that the request of the petitioner does not deserve any consideration especially as he had resigned his appointment as a Secondar Grade teacher. The petitionemay be rejected.

Yours faithfully,

for DIRECTOR OF PUBLIC INSTRUCTION.

Memo:- 10143 E1/55-1E&H-31.10.55

Sub: M.E.S.S- Sri C. Sushilendracharya, Sec. Gr. teacher, Govt. Fg. School, Udupi- Request for counting his past service for purposes of increment.

Ref: From the D.P.I. letter no: 45569/55-

G.b.(

The D.P.I. is requested to inform Sri. C. Sushilendracharya that his request for counting his past service for purposes of increment will not be complied with.

30.10

Despatcher's initials

Note: The draft above follows recommendation of the D.P.I. at P. 7 of